

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHARLES E. BROWN, PLAINTIFF

VS.

COUNTY OF SCHUYLKILL, ET AL.,
DEFENDANTS

AT DOCKET NO: 1:00-CV-0122

HONORABLE SYLVIA H. RAMBO

II

Law Clerk's Copy
FILED
HARRISBURG
JUL 23 2001
MARY E. D'ANDREA, CLERK
CIVIL ACTION
CITY CLERK

PLAINTIFF'S PRO SE MOTION TO OBTAIN A COPY OF HIS CIVIL
ACTION COMPLAINT PURSUANT TO 42 U.S.C.A. §1983 THAT HE
INITIALLY FILED IN THIS CASE, AND; MOTION FOR A SIXTY (60)
DAY EXTENTION OF TIME TO RESPOND TO THE DEFENDANT'S PETITION
OF REQUEST FOR ADMISSIONS ADDRESSED TO PLAINTIFF.

AND NOW, COMES CHARLES E. BROWN, PLAINTIFF PROSE IN THE
ABOVE-CAPTIONED, WHO RESPECTFULLY MOVES THIS COURT TO PROVIDE
HIM A COPY OF THE CIVIL COMPLAINT HE INITIALLY FILED IN THIS CASE
AND FURTHERMORE MOVES THIS COURT TO GRANT HIM AN EXTENTION
OF TIME OF SIXTY [60] DAYS TO OBTAIN LEGAL INMATE ASSISTANCE
IN ORDER TO ADEQUATELY LITIGATE THIS CASE BASED UPON THE
FOREGOING AND STATES IN SUPPORT THEREOF:

1. IT IS NOT EXACTLY KNOWN TO PLAINTIFF WHEN HE FILED
THE CIVIL RIGHTS ACTION COMPLAINT PURSUANT TO 42 U.S.C.A.
§1983 IN THIS MATTER.

2. DUE TO PLAINTIFF'S DIRE POVERTY, HE WAS ONLY ABLE
TO SUBMIT TO THIS COURT ONE (1) ORIGINAL AND ALL REMAINING
COPIES THEREOF TO THE PROTHONOTARY FOR SAID PROTHONOTARY AND
FOR THE DEFENDANT(S) NAMED HEREIN. SUBSEQUENTLY, HE WAS
UNABLE TO MAINTAIN A COPY OF SAID COMPLAINT FOR HIS OWN
RECORDS SINCE HE SUBMITTED ALL COPIES OF SAID ACTION TO THE
HONORABLE COURT.

3. THEREFORE, PLAINTIFF NEVER HAD A COPY OF HIS INITIAL COMPLAINT FOR HIS OWN PERSONAL RECORDS.

4. PLAINTIFF RECENTLY CONTACTED THE OFFICE OF THE PROTHONOTARY'S OFFICE REQUESTING A COPY OF HIS COMPLAINT AND EXPLAINED PRECISELY TO THIS OFFICE IN THE U.S. MIDDLE DISTRICT COURT, "WHY" HE WAS IN THIS SITUATION (HIS POVERTY IN NOT HAVING SUFFICIENT FUNDING TO MAKE XEROXED COPIES), AND; "HE REQUIRED A COPY OF HIS COMPLAINT (TO DEFEND AGAINST THE VARIOUS CLAIMS SET FORTH THEREIN).

5. THE PROTHONOTARY'S OFFICE REPLIED SHORTLY THEREAFTER THAT THEY REQUIRED APPROXIMATELY THIRTY-SEVEN DOLLARS (\$37.00) FOR A COPY OF HIS OWN COMPLAINT.

6. PLAINTIFF DOES NOT HAVE THIRTY-SEVEN DOLLARS. PLAINTIFF DOESN'T HAVE THIRTY-SEVEN-CENTS!

7. ALTHOUGH PLAINTIFF FILED A MOTION FOR THE APPOINTMENT OF COUNSEL, IT WAS DENIED. PLAINTIFF HAS NO KNOWLEDGE OF CIVIL LAW AND PROCEDURE. HE HAS HAD TO RELY UPON INMATE ASSISTANCE TO LITIGATE THIS CASE ON HIS BEHALF. SINCE HIS COMPLAINT AFOREMENTIONED WAS FILED, HE NOW HAS NO ONE TO ASSIST HIM IN THIS CASE.

8. IT MUST BE NOTED THAT THE PERSON LITIGATING THIS INSTANT MOTION IS: RICHARD GROSSO OF WHOM JUDGE RAMBO MAY RECALL. HOWEVER, RICHARD GROSSO CANNOT POSSIBLY ASSIST PLAINTIFF BROWN SINCE MR. GROSSO IS CURRENTLY LITIGATING THREE (3) ACTIVE CASES IN THE THIRD CIRCUIT COURT OF APPEALS, THE UNITED STATES WESTERN DISTRICT COURT OF PENNSYLVANIA, AND; THE COURT OF COMMON PLEAS OF CENTRE COUNTY PENNSYLVANIA.

9. THERE IS NO CERTIFIED PARALEGAL AT SCI-ALBION TO ASSIST ANY INMATES.

10. WITHOUT THE INITIAL COMPLAINT AND WITHOUT SOME OTHER INMATE AVAILABLE TO ASSIST PLAINTIFF ON THE MATTER, HE WILL BE UNABLE TO LEGALLY PURSUE THIS CASE BASED UPON THE MERITS. PLAINTIFF REQUIRES A COPY OF HIS COMPLAINT AND ONCE SO OBTAINED, A SIXTY (60) DAY EXTENSION OF TIME SO HE MAY FIND ANOTHER PRISONER WHO IS SOMEWHAT LEGALLY SKILLED IN LAW TO LITIGATE THIS MATTER ON HIS BEHALF.

WHEREFORE, PLAINTIFF CHARLES E. BROWN, RESPECTFULLY MOVES THIS HONORABLE COURT TO GRANT HIM HIS MOTION DIRECTING THE PROTHONOTARY TO PROVIDE ONE (1) COPY OF THE PLAINTIFF'S INITIAL COMPLAINT AND A SIXTY (60) DAY EXTENSION AND/OR ENLARGEMENT OF TIME TO RESPOND TO DEFENDANTS RESPONSE.

RESPECTFULLY SUBMITTED,

7 - 18 - 01
D A T E D

Charles E. Brown
CHARLES E. BROWN, #EJ-6141
10745, ROUTE 18, SCI-ALBION
ALBION, PA. 16475-0002

DECLARATION

I, CHARLES E. BROWN, PLAINTIFF, DO HEREBY DECLARE THAT THE STATEMENTS MADE HEREIN ARE TRUE AND CORRECT. I MAKE THIS STATEMENT IN COMPLIANCE WITH 28 U.S.C. §1746.

7-18-01
O A T E

BY: Charles E. Brown
CHARLES E. BROWN, ET-61
10745, ROUTE 18
ALBION, PA. 16475-0000

CERTIFICATE OF SERVICE

I, CHARLES E. BROWN, PLAINTIFF, HEREBY CERTIFY THAT I HAVE THIS 15TH DAY OF July, 2001, CAUSED TO BE SERVED A TRUE AND CORRECT COPY OF THE WITHIN BY DEPOSITING SAME IN THE MAIL, FIRST CLASS, POSTAGE PRE-PAID, AND ADDRESSED TO:

(A) FRANK L. TAMULONIS, JR., ESQUIRE
111 EAST MARKET STREET
P. O. BOX 238
POTTSVILLE, PENNSYLVANIA 17901

BY: Charles E. Brown
CHARLES E. BROWN, ET-6142
10745, ROUTE 18
ALBION, PA. 16475-0000